

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-14286 - APPLICANT: MICHAEL GOODWIN - OWNER:  
GHB HOLDINGS - SAHARA RAINBOW, LLC**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 6, 2006 CITY  
COUNCIL MEETING AT THE REQUEST OF COUNCILWOMAN TARKANIAN.***

**\*\* CONDITIONS \*\***

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Motorcycle/Motorscooter Sales use.
2. No motorcycle/motorscooter repair will be allowed at this location.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This application is a request for a Special Use Permit for a proposed motorcycle/motorscooter sales establishment and a waiver of the minimum required gross floor area at 2360 South Rainbow Boulevard.

**EXECUTIVE SUMMARY**

The proposed Motorcycle/Motorscooter Sales is located in a suite as part of the 54,629 square foot Sahara-Rainbow Center. The size of the suite is 2,847 square feet and requires a waiver of the minimum required gross floor area of 7,000 square feet. Since the size of the entire building is 54,629 square feet and the use does not adversely affect surrounding business or residences, approval is recommended.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 05/07/03      The City Council approved a Special Use Permit for the sale of beer and wine for off-premise consumption in conjunction with an existing market (Nakata Market of Japan) at 2350 South Rainbow Boulevard, Suite 6.
- 07/13/06      The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #18/ng).

***B) Pre-Application Meeting***

- 05/17/06      A pre-application meeting was held and submittal requirements were discussed. A waiver of condition #2 for the use will be required as part of this application.

***C) Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Net Acres:      5.44 Acres

**B) Existing Land Use**

Subject Property: Commercial Center  
 North: Swap Meet  
 South: Bank  
 Undeveloped Land  
 Commercial Center  
 East: Multi-Family Residential  
 Restaurant  
 West: Restaurant

**C) Planned Land Use**

Subject Property: SC (Service Commercial)  
 North: SC (Service Commercial)  
 South: SC (Service Commercial)  
 East: SC (Service Commercial)  
 M (Medium Density Residential)  
 West: SC (Service Commercial)

**D) Existing Zoning**

Subject Property: C-1 (Limited Commercial)  
 North: C-1 (Limited Commercial)  
 South: C-1 (Limited Commercial)  
 East: C-1 (Limited Commercial)  
 R-PD16 (Residential Planned Development – 16 Units Per Acre)  
 West: C-1 (Limited Commercial)

**E) General Plan Compliance**

The subject property currently has a land use designation of SC (Service Commercial). This designation allows for a variety of commercial uses that serve primarily local area patrons. The C-1 (Limited Commercial) zoning category complies with this designation.

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>		<b>X</b>
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>		<b>X</b>
<b>Rural Preservation Overlay District</b>		<b>X</b>
<b>County/North Las Vegas/HOA Notification</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>	<b>X</b>	
<b>Project of Regional Significance</b>	<b>X</b>	

***Development Impact Notification Assessment/Project of Regional Significance***

Due to its proximity to an adjacent jurisdiction (Clark County), the subject proposal requires that an Environmental Impact Assessment be submitted. Any issues resulting from this assessment are noted below.

**INTERAGENCY ISSUES**

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a “Project of Regional Significance” for the following reasons:

1) Any Special Use Permit within 500’ of an adjacent jurisdiction (Clark County in this instance)

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

There were no comments received as part of this request.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

**ANALYSIS**

***A) Zoning Code Compliance***

**A1) Parking and Traffic Standards**

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
General Retail	54,629 SF.	1 space per 250 square feet of GFA	219 spaces	8 spaces	311 spaces	8 spaces

The proposal meets the parking requirements for a Motorcycle/Motorscooter Sales retail store.

***B) General Analysis and Discussion***

- Zoning

The proposed Motorcycle/Motorscooter Sales use is allowed in a C-1 (Limited Commercial) zone with approval of a Special Use Permit. As approved, the existing structure in which the proposed use will locate is in compliance with Title 19 standards.

- Use

The proposed retail use will be located in an existing suite within a commercial center. The applicant requests a waiver of the minimum size requirement stating that the minimum building size must be 7,000 square feet. The use will be located in an existing 2,847 square foot suite; however the total building size is 54,538 square feet. As the other Title 19 requirements are met and the use is harmonious with the other retail uses in the center, staff supports the proposal.

- Conditions

**MOTORCYCLE/MOTORSCOOTER SALES [C-1]**

1. All display and sales shall take place in an enclosed building.
2. The minimum gross floor area of the building shall be 7,000 square feet.

**FINDINGS**

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed use will be harmonious and compatible with surrounding uses and will adequately protect them from the negative effects of a Motorcycle/Motorscooter Sales facility. No repair work will be permitted on the site.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The existing facility can accommodate the proposed Motorcycle/Motorscooter Sales use.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The site is served by both West Sahara Boulevard (a 100-foot primary arterial) and South Rainbow Boulevard (a 100-foot primary arterial) and this use will not severely affect that thoroughfare’s ability to accommodate current and future traffic flows.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of this use will not endanger the public health, safety or general welfare and it will not compromise the objectives of the General Plan.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

6

**ASSEMBLY DISTRICT** 5

**SENATE DISTRICT** 8

**NOTICES MAILED** 115 by City Clerk

**APPROVALS** 0

**PROTESTS** 0